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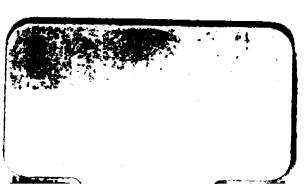

CAPTAIN RICHARD INGLE,

The Maryland "Pirate and Rebel,"

1642-1653.

A Paper read before the Maryland Historical Society,

May 12th, 1884,

BY

EDWARD INGLE, A. B.

Baltimore, 1884.

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RICHARD INGLE.

"Captain Richard Ingle, . . . a pirate and a rebel, was discovered hovering about the settlement."—*McSherry, History of Maryland, p.* 59.

"The destruction of the records by him [Ingle] has involved this episode in impenetrable obscurity, &c."—*Johnson, Foundation of Maryland, p.* 99.

"Captain Ingle, the pirate, the man who gloried in the name of 'The Reformation.'"—*Davis, "The Day Star," p.* 210.

"That Heinous Rebellion first put in Practice by that Pirate Ingle."—*Acts of Assembly,* 1638-64, *p.* 238.

"Those late troubles raised there by that ungrateful Villaine Richard Ingle."—*Ibid, p.* 270.

"I hold it that a little rebellion, now and then, is a good thing and as necessary in the political world as storms in the physical."—*Jefferson, Works, Vol. III, p.* 105.

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CAPTAIN RICHARD INGLE,

THE MARYLAND "PIRATE AND REBEL."

IN the seventeenth and eighteenth centuries the American colonies, from Massachusetts to South Carolina, were at intervals subject to visitations of pirates, who were wont to appear suddenly upon the coasts, to pillage a settlement or attack trading vessels and as suddenly to take flight to their strongholds. Captain Kidd was long celebrated in prose and verse, and only within a few years have credulous people ceased to seek his buried treasures. The arch-villain, Blackbeard, was a terror to Virginians and Carolinians until Spotswood, of "Horseshoe" fame, took the matter in hand, and sent after him lieutenant Maynard, who, slaying the pirate in hand to hand conflict, returned with his head at the bowsprit.[1] Lapse of time has cast a romantic and semi-mythologic glamor around these depredators, and

[1] Spotswood Letters, Brock, p. 12.

it is in many instances at this day extremely difficult to distinguish fact from fiction. The unprotected situation of many settlements along the seaboard colonies rendered them an easy prey to rapacious sea rovers, but it might have been expected that the Maryland shores of the Chesapeake bay would be free from their harassings. The province, however, it seems was not to enjoy such good fortune, for in the *printed* annals of her life appears the name of one man, who has been handed down from generation to generation as a "pirate," a "rebel" and an "ungrateful villain," and other equally complimentary epithets have been applied to him. The original historians of Maryland based their ideas about him upon some of the statements made by those whom he had injured or attacked, and who differed from him in political creed. The later history writers have been satisfied to follow such authors as Bozman, McMahon and McSherry, or to copy them directly, without consulting original records. To the general reader, therefore, who relies upon these authorities, Richard Ingle is "a pirate and rebel" still.[1]

A thorough defence of him would be almost impossible in view of the comparative scarcity of records and the complicated politics of his

[1] Rev. Edw. D. Neill, to whom I am indebted for valuable references, was the first to attempt any kind of a defence of Ingle, but Dr. Wm. Hand Browne, who also has greatly aided me, has omitted the pirate and rebel clause in the history which he is preparing for the Commonwealth Series.

time. In a review of his relations with Maryland, however, and by a presentation of all the facts, some light may be thrown upon his general character, and explanations, if not a defence, of his acts may be made.

Richard Ingle's name first appears in the records of Maryland under date of March 23rd, 1641/2, when he petitioned the Assembly against Giles Brent touching the serving of an execution by the sheriff. He had come to the province a few weeks before, bringing in his vessel Captain Thomas Cornwallis, one of the original council, the greatest man in Maryland at that time, who had been spending some months in England.[1] Between the time of his arrival and the date of his petition Ingle had no doubt been plying his business, tobacco trading, in the inlets and rivers of the province. No further record of him in Maryland this year has been preserved, but Winthrop wrote that on May 3rd, 1642, "The ship Eleanor of London one Mr. || Inglee || master arrived at Boston she was laden with tobacco from Virginia, and having been about 14 days at sea she was taken with such a tempest, that though all her sails were down and made up, yet they were blown from the yards and she was laid over on one side two and a half hours, so low

[1] Assembly Proceedings, 1638–1664, p. 120, Land Office Records, Vol. I., p. 582. In the Maryland records the name is spelled Cornwaleys, but in this paper the rule has been adopted of spelling it Cornwallis, as it is known to history.

as the water stood upon her deck and the sea overraking her continually and the day was as dark as if it had been night, and though they had cut her masts, yet she righted not till the tempest assuaged. She staid here till the 4th of the (4) and was well fitted with masts, sails, rigging and victuals at such reasonable rates as that the master was much affected with his entertainment and professed that he never found the like usage in Virginia where he had traded these ten years." [1] Although his name is given an additional *e* and there are some few seeming discrepancies, the facts taken together point to the probability of his being Richard Ingle on his return voyage to England. Next year he was again in Maryland, and, as attorney for Mr. Penniston and partners, sued widow Cockshott for debts incurred by her husband. The next entry in the "Provincial Records" under this date, March 6th, 1642/3, is an attachment against William Hardige in case of Captain Cornwallis.[2] This William Hardige, who was afterward one of Ingle's chief accusers, was very frequently involved in suits for debts to Cornwallis, and others. About the mid-

[1] Winthrop's History of New England, Vol. II., p. 75. Winthrop gave another spelling, "Jugle," no doubt obtained from the signature, as has been done with the name more than once in modern times. In a bill sent to the grand jury at St. Mary's, Maryland, February 1st, 1643/4, it was stated that Ingle's ship in 1642 was the "Reformation." The bill was, however, returned "Ignoramus," and the use of the name was probably anachronous.

[2] Proprietary Records, Liber P. R., p. 85.

dle of the month of January, 1643/4, the boatswain of the "Reformation" brought against Hardige a suit for tobacco, returnable February 1st. Three days afterward a warrant was issued to William Hardige, a tailor, for the arrest of Ingle for high treason, and Captain Cornwallis was bidden to aid Hardige, and the matter was to be kept secret.[1] Ingle was arrested and given into the custody of Edward Parker, the sheriff, by the lieutenant general of the province, Giles Brent, who also seized Ingle's goods and ship, until he should clear himself, and placed on board, under John Hampton, a guard ordered to allow no one to come on the ship without a warrant from the lieutenant general.[2] Then was published, and as the records seem to show, fixed on the vessel's mainmast the following proclamation.[3]

"These are to publish & pclaym to all psons as well seamen as others, that Richard Ingle, m^{r} of his ship, is arrested upon highe treason to his Ma^{ty}; & therefore to require all psons to be aiding & assisting to his Lo^{ps} officers in the seizing of his ship, & not to offer any resistance or contempt hereunto, nor be any otherwaise aiding or assisting

[1] Ibid, p. 124.

[2] Ibid, p. 137.

[3] Ibid, p. 124. Council Proceedings, 1636–1657. Bozman, in his History of Maryland, Vol. II., p. 271, not knowing evidently that more than one warrant was issued for Ingle's arrest, transposed this proclamation, making it follow Jan. 20; but in P. R. it is under date of Jan. 18, 1643/4.

to the said Richard Ingle upon perl of highe treason to his Ma^{ty}."

Notwithstanding this proclamation Ingle escaped in the following manner. Parker had no prison, and, consequently, had to keep personal guard over his prisoner. . He supposed, "from certain words spoken by the Secretary," that Brent and the council had agreed to let Ingle go on board his vessel, and when Captain Cornwallis and Mr. Neale came from the council meeting and carried Ingle to the ship, he accompanied them.[1] Arrived on board Cornwallis said "All is peace," and persuaded the commanding officer to bid his men lay down their arms and disperse, and then Ingle and his crew regained possession of the ship. Under such circumstances the sheriff could not prevent his escape, especially when a member of the council and the most influential men in the province had assisted the deed by their acts or presence. Besides it was afterwards said that William Durford, John Durford, and Fred. Johnson, at the instigation of Ingle, beat and wounded some of the guard, though this charge does not appear to have been substantiated.[2]

On January 20th, 1643/4, the following warrant was issued to the sheriff.[3]

[1] P. R., p. 146.
[2] Ibid, pp. 125, 138.
[3] C. P., p. 111, P. R., p. 125.

"I doe hereby require (in his Ma^ties^ name) Richard Ingle, mariner to yield his body to Rob Ellyson, Sheriff of this County, before the first of ffebr next, to answer to such crimes of treason, as on his Ma^ties^ behalfe shalbe obiected ag^st^ him, upon his utmost perl, of the Law in that behalfe. And I doe further require all psons that can say or disclose any matter of treason ag^st^ the said Richard Ingle to informe his Lo^ps^ Attorny of it some time before the said Court to the end it may be then & there prosequuted

G. BRENT."

Ingle, however, was not again arrested, though he still remained in the neighborhood of St. Mary's, for on January 30th his vessel was riding at anchor in St. George's river, and mention is made of him in the records as being in the province. For nearly two months the Ingle question was agitated and for the sake of clearness an account will be given of the acts concerning him in the order of their occurrence.

The information given by Hardige to Lewger which had caused Ingle's arrest was: that in March or April, 1642, he heard Ingle, who was then at Kent Island, and at other times in St. Mary's, say, that he was "Captain of Gravesend for the Parliament against the King;" that he heard Ingle say that in February of that year he had been bidden in the King's name to come ashore at

Accomac, in Virginia, but he, in the parliament's name had refused to do so, and had threatened to cut off the head of any one who should come on his ship.[1] On January 29th, Hardige and others were summoned to appear and to give evidence of—here the pirate enters—"pyratical & treasonable offences" of Ingle. On February 1st, the sheriff impannelled a jury of which Robert Vaughan was chosen foreman, and witnesses were sworn, among them Hardige who "being excepted at as infamous," by Capt. Cornwallis, "was not found so."[2] John Lewger, the attorney-general, having stated that the Court had power to take cognizance of treason out of the province in order to determine where the offender should be tried, presented three bills for the jury to consider. The first bill included the second charge brought by Hardige, the second ordered the jury to inquire "if on the 20th of November and some daies afore & since in the 17 yea of his Ma^ties^ reigne at Gravesend in Comit Kent in England" the accused "not having the feare of God before his eies, but instigated thereunto by the instigation of the divill & example of other traitors of his Ma^tie^ traiterously & as an enemy did levie war & beare armes ag^st^ his ma^tie^ and accept & exercise the comand & captainship of the town of Gravesend,"

[1] Ibid, p. 125.
[2] Ibid, pp. 129, 130.

and by the third bill they were to inquire if Ingle did not, on April 5th in the eighteenth year of Charles' reign, on his vessel in the Potomac river, near St. Clement's island, say, "that Prince Rupert was a rogue or rascall." If the rest of the testimony was no stronger or more conclusive than that of Hardige, it is not surprising that the jury replied to all the bills "*Ignoramus.*"[1] Another jury was impannelled to investigate the charge of Ingle's having broken from the sheriff, and they returned a like finding. In the afternoon the first jury were given two more bills, first, to find "whether in April 1643 Ingle, being then at Mattapanian,[2] St. Clement's hundred, said 'that Prince Rupert was Prince Traitor & Prince rogue and if he had him aboard his ship he would whip him at the capstan.'" This bill met the fate of the others, but the second charging him with saying "that the king (meaning o^{r} Gover L. K. Charles) was no king neither would be no king, nor could be no king unless he did ioine with the Parlam^{t}," caused the jury to disagree and no verdict having been reached at 7 P. M., they adjourned until the following Saturday.[3] On that day, Feb-

[1] Ibid.

[2] This was on the south side of the Patuxent river. At one time the Jesuits used a building there for a storehouse. There was the favorite dwelling of Charles, third Lord Baltimore, which afterward belonged to Mr. Henry Sewall, and there Col. Darnall took refuge during the Coode uprising.

[3] P. R., p. 131.

ruary 3rd, at the request of the attorney-general the jury were discharged and the bill given to another jury who returned it "*Ignoramus.*"[1] In spite of the unanimity of all the juries in finding no true indictment, another warrant was issued for the arrest, by Parker or Ellyson, of Ingle for high treason, and after a fruitless attempt to secure by another jury a different finding, Ingle was impeached on February 8th, for having on January 20th, 1643/4, committed assaults upon the vessels, guns, goods, and person of one Bishop, and upon being reproached for these acts, having threatened to beat down the dwellings of people and even of Giles Brent, and for "the said crimes of pyracie, mutinie, trespasse, contempt & misdemeanors & every of them severally."[2] If Ingle did commit these depredations he was, no doubt instigated by the proceedings instituted on that day against him, and moreover by the fact that Henry Bishop had been among the witnesses to be summoned against him.

Nothing more was done in the matter, for from a copy of a certificate to Ingle under date of Febuary 8th, it is learned that "Upon certaine complaints exhibited by his Lo^{ps} attorny agst M^{r} R. Ingle the attending & psequution whereof was like to cause great demurrage to the ship & other

[1] Ibid, p. 134.
[2] Ibid, pp. 137, 139.

damages & encumbrances in the gathering of his debts it was demanded by his Lop^s^ said attorny on his Lop^s^ behalfe that the said R. I. deposite in the country to his Lop^s^ use one barrell of powder & 400l of shott to remaine as a pledge that the said R. I. shall by himself or his attorny appeare at his Lop^s^ Co^rt^ at S. Maries on or afore the first of ffebr next to answere to all such matters as shalbe then and there obiected ag^st^ him * * * * and upon his appearance the said powder & shott or the full value of it at the then rate of the country to be delivered to him his attorny or assigne upon demand."[1]

What a change of policy, from charging a man with treason, the penalty for which was death, to offering him the right of bail for the appearance of his attorney, if necessary, to meet indefinite charges! In view of all the facts, it seems probable that the Maryland authorities were committed to the King's cause by the commission granted by him to Leonard Calvert in 1643, and by their action in seizing Ingle; that after his arrest it was thought to be injudicious to go to extremes, and that they made little resistance to, if they did not connive at, his escape. Certainly, efforts to recapture him must have been very feeble, for when the sheriff demanded the tobacco and cask due him from the defendant for summoning juries, wit-

[1] Ibid, p. 141.

nesses, &c., it was found that Ingle had left in the hands of the Secretary the required amount.[1] In arresting Ingle for uttering treasonable words, the palatine government was not only placing itself upon the side of King Charles, but was preparing to do what he had been prevented from doing a few months before. For when at his command some persons who had acted treasonably were condemned to death, parliament declared that "all such indictments and proceedings thereon were unjust and illegal; and that if any man was executed or suffered hurt, for any thing he had done by their order, the like punishment should be inflicted by death or otherwise, upon such prisoners as were, or should be, taken by their forces," and their lives were saved.[2] The authorities of Maryland themselves show why Ingle was allowed to escape. On March 16th, Lewger showed that "whereas Richard Ingle was obnoxious to divers suits & complaints of his Lo^{p} for divers and sundry crimes all w^{ch} upon composition for the publique good & safety were suspended agst the said Richard Ingle assuming to leave in the country to the publique need at this time," powder and shot, but he had not paid the composition and had left without paying custom dues, which were required for the proper discharge of his ship "by the law & custom

[1] Ibid, p. 148.
[2] Bozman: History of Maryland, Vol. II., p. 272.

of all Ports," he prayed that all of Ingle's goods, debts, &c., might be sequestered until he should clear himself.[1] Under the circumstances, the grave charges pending against him, as there is no proof that he had known the terms of composition, a crew and vessel being at his command, it is not surprising that he sailed away from danger, without attending to the formality of clearing, and leaving unpaid debts, for Lewger claimed 600 pounds of tobacco from him, as payment for some plate and a scimitar, for which Cornwallis went security.[2] There is a touch of seeming sarcasm in the suggestion that the deposit by Ingle of ammunition would have relieved the public need, for he would have been that much less dangerous, and the government would have been so much the more prepared to resist him.

But how were those who assisted him treated? On January 30th, Thomas Cornwallis, James Neale, Edward Parker and John Hampton, were impeached for having rescued him, and thereby of being accessories to high treason. Cornwallis made answer, "that he did well understand the matters charged agst the said Richard Ingle to be of no importance but suggested of mean malice of the —— William hardige, as hath appeared since in that the grand enquest found not so much proba-

[1] P. R., p. 149.
[2] Ibid, p. 150.

bility in the accusations, as that it was fitt to putt him to his triall" and "he supposed & understood no other but that the said rich. Ingle went aboard wth the licence and consent of the L. G. & Counsell & of the officer in whose custody he was & as to the escape & rescuous in manner as is charged he is no way accessory to it & therefore prayeth to be dismissed."[1] The judgment was delayed, but Cornwallis was anxious to be at once discharged. The lieutenant general and the attorney general, therefore, having consulted together, found Cornwallis guilty, and fined him one thousand pounds of tobacco, though at the request of the accused the fine was respited until the last day of the month, when Brent ordered the sheriff "to levie 1000 lbs tob. on any goods or debts" of Capt. Tho. Cornwallis "for so much adjudged by way of fine unto the Lord Propriet^{r} agst him at the Court held on the 9th ffeb last."[2] This fine, which was to be given to the attorney of Tho. Wyatt, commander of Kent Island, in payment of Lord Baltimore's debt to him, Cornwallis afterward acknowledged he had paid.[3]

Neale did not make his appearance before the court, though he seems to have been in St. Mary's, and was suspended from the council for his con-

[1] Ibid, p. 131.
[2] Ibid, pp. 139, 145.
[3] Sixth Report of the Historical Commission to Parliament, p. 101.

tempt. On February 11th, being accused of having begged Ingle from the sheriff, he denied all the charges, and in a few days was restored to his seat in the council, upon the eve of Brent's departure for Kent Island.[1] Parker said Ingle had escaped against his will, and he was discharged, while Hampton escaped prosecution, presumably, for there is no further record of action in the case against him.[2]

But it would have been bad policy for the authorities to allow the matter to drop without apparent effort on their part to punish somebody, and Cornwallis had to bear the brunt of their attacks. The feeling against him was so strong, according to his own statements, that besides paying a fine, the highest "that could by law be laid upon him," he was compelled for personal safety to take ship with Ingle for England, where the doughty captain testified before a parliamentary committee of Cornwallis' devotion to its cause, and of the losses he had sustained in its behalf.[3]

The lieutenant governor, and council, may have congratulated themselves about the departure of Ingle and Cornwallis, but that mariner and trader was preparing to return to Maryland. On August 26th, 1644, certain persons trading to Virginia

[1] P. R., pp. 140, 141, 146.
[2] Ibid, p. 146.
[3] Sixth Rep. Hist. Com., p. 101.

petitioned the House of Commons to allow them to transport ammunition, clothes, and victuals, custom free, to the plantations of the Chesapeake, which were at that time loosely classed under the one name—Virginia. The Commons granted to the eight[1] vessels mentioned in the petition, the right of carrying victuals, clothes, arms, ammunition, and other commodities, "for the supply and Defence and Relief of the Planters," and referred the latter part of the petition, asking power to interrupt the Hollanders and other strange traders, to the House of Lords.[2] It is hardly necessary to say at this point that the planters to be relieved and defended by the cargoes of the vessels, were planters not at enmity with the parliament. For vessels from London were used in the interests of parliament, while those from Bristol were the King's ships. De Vries, the celebrated Dutchman, who has left such acute observations about the early colonists, wrote that while visiting Virginia in 1644 he saw two London ships chase a fly-boat to capture it, and it was reported in Massachusetts that a captured Indian had given as a reason for the Indian masacre, on April 18th, 1644, "that they did it because they saw the English took up all their lands, * * * and they took this season for

[1] The absence of punctuation between the "Elizabeth and Ellen" leads one to conjecture that there were but seven vessels.

[2] Journal of the House of Commons, 1642–44, p. 607. This may be found in the Congressional Library, Washington, D. C.

that they understood that they were at war in England, and began to go to war among themselves, for they had seen a fight in the river between a London ship, which was for the parliament, and a Bristol ship, which was for the King."[1]

Among the ships commissioned by the parliament, which were armed, was the "Reformation," of which Ingle was still master. He was in London in October, 1644, receiving cargo, and Cornwallis entrusted to him goods, valued at 200 pounds sterling.[2] The vessel soon afterwards sailed, and was in Maryland in February. In the province, at that time, affairs were in a very unsettled condition. The energetic Claiborne, who was also called by Maryland authorities a pirate and a rebel, but who was a much better man than is generally supposed, and whose life ought to be especially studied, was still pushing his claims to Kent Island, and Leonard Calvert had been compelled to visit Virginia more than once during the winter in trying to prevent his actions. The Indians were aroused and prone to take advantage of disputes between the factions in the province, while the colonists themselves were in a state of unrest. At this juncture Ingle appeared.

[1] Collections N. Y. Historical Society, Series II., Vol. III., p. 126. Winthrop: History of New England, Vol. II., p. 198.

[2] L. O. R., Vol. I., p. 224; Sixth Rep. Hist. Com., p. 101.

Streeter wrote of his coming, "several vessels appeared in the harbor, from which an armed force disembarked, (Feb. 14, 1645,) under the command of Capt. Richard Ingle, St. Mary's was taken; many of the members were prisoners; the Governor was a fugitive in Virginia; and the Province in the hands of a force, professing to act, and probably acting, under authority of Parliament."[1] There is no authority given for the first part of this statement, though it is not improbable, and is partly substantiated by the exaggerated charges against Ingle, made by the Assembly of 1649, and the references to him in proclamations. There is no mention in the provincial records of Calvert's having being forced out of the province, but, on the contrary, Calvert in his commission to Hill in 1646 stated that "at this present, I have occasion, for his lordship's service to be absent out the said province," and says nothing at all about Ingle. The rebellion has been called "Claiborne's and Ingle's," and, although association with Claiborne would not have been dishonorable to any one, historical accuracy seems to call for a distinction. In Greene's proclamation of pardon given in March, 1647/8; in the letter written by the Assembly to Lord Baltimore in April, 1649; in the Pro-

[1] Papers Relating to the Early History of Maryland, by S. F. Streeter, p. 267.

prietor's commissions for the great seal, for muster master general, for commander of Kent Island, respectively, in 1648; and in his letter to Stone in 1649, the rebellion is attributed to the instigation of Ingle.[1] In the commission to Governor Stone, of August, 1648, is the statement, "so as such pardon or pardons extend not to the pardoning of William Clayborne heretofore of the isle of Kent in our said province of Maryland and now or late of Virginia or of his complices in their late rebellion against our rights and dominion in and over the said province nor of Richard Ingle nor John Durford mariner," and in the act of Oblivion, in April, 1650, pardon is granted to all excepting "Richard Ingle and John Darford Marryners, and such others of the Isle of Kent" as were not pardoned by Leonard Calvert.[2] In these two instances alone is any kind of an opportunity offered for connecting the two names, even here they are separated, and the distinction is made greater by the fact that in a commission concerning Hill, also of August, 1648, and in other places, Claiborne is mentioned with no reference at all to Ingle.[3] It is probable, in the absence of evidence to the contrary, that Ingle and Claiborne never planned any concerted action, but that each

[1] C. P., pp. 166, 201, 204; A. P., 238, 270.
[2] C. P., p. 175; A. P., p. 301.
[3] C. P., p. 209.

took advantage of the other's deeds, to further his own interests.

To return to the year 1645. The rebellion supposed to have been originated by Ingle, was according to statements of the Assembly of 1649, continued by his accomplices, and during it "most of your Lordships Royal friends here were spoiled of their whole Estate and sent away as banished persons out of the Province those few that remained were plundered and deprived in a manner of all Livelyhood and subsistance only Breathing under that intollerable Yoke which they were forced to bear under those Rebells."[1] The people were tendered an oath against Lord Baltimore, which all the Roman Catholics refused to take, except William Thompson, about whom there is some doubt.[2] Ingle, himself, said that he had been able to take some places from the papists and malignants, and with goods taken from them had relieved the well-affected to parliament. Further on in this paper it will be seen that Roman Catholics' property was attacked under Ingle's auspices, but that the bad treatment of them did not continue long and was not very severe, may be inferred from the fact that in 1646, there were enough members of the council, who were Roman Catholics, in the province to

[1] A. P., p. 238.

[2] Ibid., pp. 238, 270, 271. At the request of the Assembly, Baltimore forgave Thompson for acts which he might have committed by reason of ignorance or through a mistake.

elect Hill governor. In this connection ought to be mentioned the report, by an uncertain author, concerning the Maryland mission, written in 1670. The report is devoted principally to an account of a miracle which, strange to say, had not been recorded, as far as is known, although twenty-four years had elapsed since it had occurred. "It has been established by custom and usage of the Catholics," the uncertain author wrote, "who live in Maryland, during the whole night of the 31st of July following the festival of St. Ignatius, to honor with a salute of cannon their tutelar guardian and patron saint. Therefore, in the year 1646, mindful of the solemn custom, the anniversary of the holy father being ended, they wished the night also consecrated to the honor of the same, by the continual discharge of artillery. At the time, there were in the neighborhood certain soldiers, unjust plunderers, Englishmen indeed by birth, of the heterodox faith, who, coming the year before with a fleet, had invaded with arms, almost the entire colony, had plundered, burnt, and finally, having abducted the priests and driven the Governor himself into exile, had reduced it to a miserable servitude. These had protection in a certain fortified citadel, built for their own defence, situated about five miles from the others; but now, aroused by the nocturnal report of the cannon, the day after, that is on the first of August, rush upon

us with arms, break into the houses of the Catholics, and plunder whatever there is of arms or powder."[1] Now this statement bears upon the face of it a contradiction, for the restriction upon the Roman Catholics could not have been very great, since they were allowed to retain, up to August, 1646, the powder and cannon necessary to fire continual salutes, moreover, when next day the soldiers came to their dwellings, nothing seems to have been taken except the ammunition, and this was done no doubt to prevent any further alarm, that a body of troops situated as they were might reasonably have felt at hearing artillery discharges five miles away.

Many writers have stated that good Fathers White and Fisher were carried off to England by Ingle, but from the records of the Jesuits at Stonyhurst, it is learned that Father White was seized "by a band of soldiers," "and carried to England in chains," and also that in "1645 This year the colony was attacked by a party of 'rowdies' or marauders and the missioners were carried off to Virginia."[2] These extracts serve to show what was the confusion existing in the minds of contemporaries of Ingle, and the extreme difficulty, therefore, of finding the real truth. But in the sworn state-

[1] Relatio Itineris in Marylandiam, p. 95.

[2] Records of the Eng. Prov. Society of Jesus, Series V., VI., VII., VIII., pp. 337, 389.

ments preserved in the Maryland records, some facts may be found. Within a few days of the events at St. Mary's resulting in partial subversion of Baltimore's government, the "Reformation" was riding at the mouth of St. Inigoe's creek, near which was situated the "Cross," the manor house of Cornwallis, who, when he had been obliged in 1644 to leave Maryland, had left his house and property in the hands of Cuthbert Fenwick, his attorney.[1] Fenwick was intending to go to Accomac, Virginia, and sent Thomas Harrison, a servant, who had been bought from Ingle by Cornwallis, and a fellow servant, Edw. Matthews, to help Andrew Monroe to bring a small pinnace nearer the house.[2] In the pinnace were clothes, bedding, and other goods, the property of Fenwick. Monroe refused to bring the pinnace, and waited until Ingle came into the creek;[3] and allowed the pinnace to be captured, (if that may be called a capture to which consent was given,) and plundered. Fenwick said that the pinnace was plundered by "Richard Ingle or his associates;"[4] another witness said that Ingle "seized or plundered" the pinnace, and Monroe was employed by him in his acts against the province, and while in command of another pinnace assisted in the pillaging of Copley's house at Portoback.[5] Matthews

[1] L. O. R., Vol. I., p. 432.
[2] Ibid., p. 572.
[3] Ibid., Vol. II., p. 354.
[4] Ibid., Vol. I., p. 584.
[5] Now Port Tobacco, Charles Co. Ibid., Vol. II., p. 354.

as well as other servants were held captives on the "Reformation," and Harrison took up arms for Ingle and afterwards left the province and fled to Accomac. Fenwick went on board, no doubt to protest against such acts, and when he returned to the shore was seized by a party of men under John Sturman, who seems to have been a leader in the rebellion, and carried back to the vessel where he was kept prisoner.[1] In the meantime Thomas Sturman, John Sturman, coopers, and William Hardwick, a tailor, led a party to sack the dwelling of Cornwallis, who, in a petition to the Governor and Council in 1652, described it as "a Competent Dwelling house, furnished with plate, Linnen hangings, beding brass pewter and all manner of Household Stuff worth at least a thousand pounds." In the same petition he said that the party "plundered and Carryed away all things in It, pulled downe and burnt the pales about it, killed and destroyed all the Swine and Goates and killed or mismarked allmost all the Cattle, tooke or dispersed all the Servants, Carryed away a Great quantity of Sawn Boards from the pitts, and ript up Some floors of the house. And having by these Violent and unlawfull Courses forst away my Said Attorny the Said Thomas and John Sturman possest themselves

[1] Ibid., Vol. I., p. 433. Most of the testimony against Ingle in Maryland was by those whom he had held prisoners.

of the Complts house as theire owne, dwelt in it Soe long as they please and at their departing tooke the locks from the doors and y^e^ Glass from the windowes and in fine ruined his whole Estate to the damage of the Complt at least two or three thousand pounds."[1] It may be well to bear in mind that Cornwallis in this petition, which was against the two Sturmans and Hardwick, who did not deny the allegations, but claimed the statute of limitation, no mention is made of Ingle, save that on his ship Fenwick was detained.[2]

In the latter part of the year 1645 began the era of petitions, which should be taken with allowance, for the age has been characterized as one of perjury, and in the representations by both parties in Maryland politics, advantage was taken of every slight point to strengthen their respective positions, and from internal evidence it seems that some statements were garbled, to say the least about them. The opening of this era was marked by the presentation, December 25th, 1645, by the committee of plantations, to the House of Lords, the following statements and suggestions, viz: that many had complained of the tyranny of recusants in Maryland, "who have seduced and forced many of his Majesty's subjects from their religion;" that by a certificate from the Judge of the Admiralty

[1] Ibid., Vol. I., pp. 432, 433.
[2] Ibid.

grounded upon the deposition of witnesses taken in that Court: Leonard Calvert, late Governor there, had a commission from Oxford to seize such persons, ships and goods as belonged to any of London; which he registered, proclaimed, and endeavored to put in execution at Virginia; and that one Brent, his deputy Governor, had seized upon a ship, empowered under a commission derived from the Parliament, because she was of London, and afterward not only tampered with the crew thereof to carry her to Bristol, then in hostility against the Parliament, but also tendered them an oath against the Parliament;" the committee under these circumstances recommended that the province should be settled in the hands of protestants.[1] This was the first part of the determined effort to deprive the great Cecil Calvert of his charter of Maryland, which Richard Ingle continued so vigorously in after years. He was probably in England at that time, for he refers to the action of the Lords in regard to the settling of the Maryland government, in his petition of February 24th, 1645/6, to the House of Lords. To this petition was appended a statement on behalf of Cornwallis, which will explain it. Cornwallis said that on Ingle's return to England, to cover up his defalcation in the matter of 200 pounds worth of goods, he had complained to the committee for examinations

[1] Terra Mariae, Neill, pp. 110, 111.

against Cornwallis as an enemy to the State. The matter was given a full hearing, and when it was left to the law and the defendant was granted the right of having witnesses in Maryland examined, Ingle had him arrested upon two feigned actions to the value of 15,000 pounds sterling. Some friends succeeded in rescuing him from prison, and then Ingle sent the following petition to the House of Lords, which had the effect of stopping for the time proceedings against him.[1] Having done so he carried the prosecution no further. The petition is somewhat lengthy, but it should be read as it is eminently characteristic of the man.[2]

"The humble petition of Richard Ingle, showing That whereas the petitioner, having taken the covenant, and going out with letters of marque, as Captain of the ship Reformation, of London, and sailing to Maryland, where, finding the Governor of that Province to have received a commission from Oxford to seize upon all ships belonging to London, and to execute a tyrannical power against the Protestants, and such as adhered to the Parliament, and to press wicked oaths upon them, and to endeavor their extirpation, the petitioner, conceiving himself, not only by his warrant, but in his fidelity to the Parliament, to be conscientiously

[1] Sixth Rep. Hist. Com., p. 101.

[2] Rev. E. D. Neill has given the full draft of this petition. See Founders of Maryland, pp. 75–77.

obliged to come to their assistance, did venture his life and fortune in landing his men and assisting the said well affected Protestants against the said tyrannical government and the Papists and malignants. It pleased God to enable him to take divers places from them, and to make him a support to the said well affected. But since his return to England, the said Papists and malignants, conspiring together, have brought fictitious acts against him, at the common law, in the name of Thomas Cornwallis and others for pretended trespass, in taking away their goods, in the parish of St. Christopher's, London, which are the very goods that were by force of war justly and lawfully taken from these wicked Papists and malignants in Maryland, and with which he relieved the poor distressed Protestants there, who otherwise must have starved, and been rooted out.

"Now, forasmuch as your Lordships in Parliament of State, by the order annexed, were pleased to direct an ordinance to be framed for the settlement of the said province of Maryland, under the Committee of Plantations, and for the indemnity of the actors in it, and for that such false and feigned actions for matters of war acted in foreign parts, are not tryable at common law, but, if at all, before the Court and Marshall; and for that it would be a dangerous example to permit Papists and malignants to bring actions of trespass or

otherwise against the well affected for fighting for the Parliament.

"The petitioner most humbly beseecheth your Lordships to be pleased to direct that this business may be heard before your Lordships at the bar, or to refer it to a committee to report the true state of the case and to order that the said suits against the petitioner at the common law may be staid, and no further proceeded in."

It is not known how this matter was settled, but in 1647, September 8th, Ingle transferred to Cornwallis "for divers good and valuable causes" the debts, bills, &c., belonging to him, and made him his attorney to collect the same. Among the items in the inventory appended to the power of attorney were "A Bill and note of John Sturman's, the one dated the 10th of April 1645 for Satisfaction of tenn pounds of powder the other dated the 4th of April 1645 for 9001 of Tob & Caske," and "an acknowledgem[t] of Cap[t] William Stone dated the 10th of April 1645 for a receipt of a Bill of Argall Yardley's Esq, for 98601 of Tobacco and Caske,"[1] which show that the mercantile interests of Ingle were not subservient to his supposed warlike measures. A consideration of the statements by Corwallis and of those by Ingle, proves that the latter must have had considerable influence in the Parliament, and that he was prepared to stand

[1] L. O. R., Vol. I., p. 378.

by and defend all his actions, and the similarity to his petition of ideas and even of words in certain places, would safely allow the conjecture that Ingle had something to do in the report of 1645 already mentioned. It is curious also to compare his reference to the ill-treatment of the Protestants, and the mention of the hardships of Baltimore's adherents, made by the Assembly of 1649. There is no record of the presence of Ingle in Maryland after the spring of 1645, though the rebellion which he was accused of instigating continued some months longer.[1] For continuity, a rapid sketch of the history of Maryland during the next two years must be given.

For fourteen months the province was without a settled government. In March, 1645/6, the Virginian Assembly in view of the secret flight into Maryland of Lieutenant Stillwell, and others, enacted that "Capt. Tho. Willoughby, Esq., and Capt. Edward Hill be hereby authorized to go to Maryland or Kent to demand the return of such persons who are alreadie departed from the colony. And to follow such further instructions as shall be

[1] Father White and Father Fisher were carried to England and imprisoned. The former was, after some months, released upon the condition of his leaving England. He went to Belgium, and afterwards returned to England, but never again to Maryland. "Thirsting for the salvation of his beloved Marylanders he sought every opportunity of returning secretly to that mission, earnestly begging the favor of his Superiors; but, as the good Father was then upwards of sixty-five years of age and his constitution broken down, they would not consent." R. P. S. J., p. 337. Fisher was released and returned to Maryland.

given them by the Governor and Council."[1] After Hill had arrived in Maryland he was elected governor by the members of the council, who, notwithstanding Ingle's rebellion, were in the province. The right of the council to elect Hill was afterwards disputed, but one word must be said in regard to this. The reason for disputing the right was that the councilors could elect only a member of the council to be governor. In the commission to Leonard Calvert in 1637, no such restriction was made,[2] in the commission of 1642 the restriction occurs, and in the commission of 1644, which has been preserved in two copies, the same provision was made.[3] As Lord Baltimore himself had confused ideas about this commission, it is not surprising that the council thought they were doing right in electing Hill. Even if the council had no right to act thus, Hill had stronger claims to the governorship. In Lord Baltimore's commission to Leonard Calvert, of September 18th, 1644, is the provision:[4] "and lastly whereas our said Lieutenant may happen to dye or be absent from time to time out of the said province of Maryland, before we can have notice to depute another in his place we do therefore hereby grant unto him full power and Authority from time to time in

[1] Hening: Statutes, Vol. I., p. 321.
[2] C. P., pp. 17, 77.
[3] Ibid., p. 136; L. O. R., Vol. I., p. 203.
[4] C. P., p. 135.

such Cases to Nominate elect and appoint such an able person inhabiting and residing within our said province of Maryl[d], as he in his discretion shall make choice of & think fit to be our Lieutenant Governor, &c." Such is the command as recorded in the Council Proceedings of Maryland. But Baltimore, in 1648, in a commission to the Governor and council in Maryland, wrote that Leonard Calvert had no right to appoint any person in his stead "unless such persons were of our privy council there,"[1] although he recognized the validity of Leonard's death-bed appointment by witnesses of Governor Greene. He, to be sure, was a member of the council, but this fact was not mentioned in the preamble of the commission, in which the words, with some slight changes in tense and mood, are almost identical with those in the preamble of the commission of July 30th, 1646, from Calvert to Hill, which, notwithstanding doubts to the contrary, must have been genuine. For Lord Baltimore, in the commission of 1648 seems to have acknowledged that his brother had granted the commission to Hill,[1] who, in a letter to Calvert, said that he had promised him one-half the customs and rents, the remuneration stipulated in his commission. Hill, not knowing that Calvert was dead, wrote him a

[1] Ibid., p. 209.
[2] Ibid., p. 154–161.

letter, dated June 18th, 1647, urging the payment of his dues, and the next day Greene, the new Governor, replied that he did not understand the matter, but that if Hill would send an attorney "full satisfaction should be given him." When Hill wrote next he waived the authority of Calvert, and based his claim upon the right of the council to elect him, and in this way placed himself upon an illegal footing, which circumstance was taken advantage of for a time by the Maryland authorities. But finally at a court held June 10th, 1648,[1] one year after Calvert's death, a claim from Hill was presented "for Arrears of what consideration was Covenanted unto him by Leonard Calvert, Esq., for his Service in the office of Governor of this Province, being the half of his Ldps rents for the year 1646 & the half of the Customes for the Same yeare." It was ordered by the court, "that ye half of that yeares Customes as far as it hath not already been received by Capt. Hill shall be paid unto him by the Ld Prop^{rs} Attorny out of the first profitts which shall be receivable to his Ldp * * * his Ldps Receiver shall accompt & pay unto Cap^{t} Edward Hill or his assignes the one halfe of his Ldps rents due at Christmas next in Lieu of the S^{d} rents of the yeare 1646 which were otherwise disposed of to his Ldps use." There is, however, one fact which must not be

[1] L. O. R., Vol. II., p. 328.

lost sight of in regard to Leonard Calvert's commission to Hill. If it was executed by a member of the council, and therefore was a forgery, for in the records Calvert's name is signed to it, and the place of the seal is noted, it is not at all likely that it would have been allowed by Calvert on his return, and by his immediate successors, to be preserved and copied into the records. If all other proof failed this last would establish the validity of Hill's commission.

But Calvert, who, throughout his whole career as governor of Maryland, showed unchanging devotion to his brother's interests, gathered in Virginia a body of soldiers and returned at the end of 1646 to St. Mary's, where he easily repossessed himself of that part of the country, though Kent Island remained still in possession of Claiborne's forces. Thus was ended what has been called Ingle's rebellion, in which the loss of the lord proprietor's personal estate "was in truth so small as that it was not Considerable when it was come in Ballance with the Safety of the Province which as the then present Condition of things stood, hung upon so ticklish a pin as that unless such a disposition had been made thereof an absolute ruin and subversion of the whole Province would inevitably have followed."[1] Another proof of Hill's regular appointment is that Calvert on

[1] A. P., p. 242.

the 29th of December, soon after his return, re-assembled the Assembly, which Hill had summoned and adjourned, and proceeded with it to enact laws.[1] Although a later Assembly in 1648 protested against the laws passed by this Assembly, the proprietor recognized them as valid, and wrote in 1649 that it had been "lawfully continued" by his brother "ffor although the first Sumons were issued by one who was not our Lawfull Lieutenant there, yet being afterwards approved of by one that was, it is all one, as to the proceedings afterward as if at first they had issued from a lawfull Governor."[2] The writer is no lawyer, but it seems, that, if the Assembly of Hill was "lawfully continued" and "approved" by Calvert, the recognition by Baltimore must have been legally retroactive, and, therefore, that the laws passed before Calvert's return must have been legally valid, saving of course the proprietor's dissent. Leonard Calvert having spent some months in settling the affairs of the province died, June 9th, 1647, and Greene ruled in his stead. In the following March, Ingle's name again appears in the records. The governor, on March 4th, 1648, proclaimed pardon to all except Richard Ingle, and in August of the same year the lord proprietor issued, besides his commissions

[1] Ibid., pp. 209–210.
[2] Ibid., 266.

to Governor Stone, to the council and to secretary Thomas Hatton, commissions, for the Great Seal, for muster master general, and for commander of the Isle of Kent. John Price was made muster master general for his "great Fidelity unto us in that Occasion of the late insurrection and Rebellion in our said province was begun there by that Notorious Villain Richard Ingle and his Complices," and Robert Vaughan was appointed commander of Kent for the same reason.[1] Then in 1650 was passed the act of Oblivion, excepting Ingle, Durford, and some of the Isle of Kent. In 1649, Baltimore granted to James Lindsey and Richard Willan certain lands, and directed that in the grants should be inserted the notice "of their singular and approved worth courage and fidelity (in Ingle's insurrection) to the end a memory of their merit and of his (the Proprietor) sense thereof may remain upon record to the honour of them and their posterity forever."[2]

An investigation into Ingle's doings at this time may explain the bitter terms in which he is mentioned in the official records of Maryland, and also why upon him was foisted the chief responsibility for the disturbances. During the year 1646, Lord Baltimore was engaged in defending his charter, against the justice of which

[1] C. P., pp. 204–205.

[2] Kilty, Landholder's Assistant, pp. 79–80; L. O. R., Vol. II., p. 410.

such grave charges had been brought by Ingle and others, in the winter of 1645/6. On January 23rd, 1646/7, application in Baltimore's behalf, was made to the House of Lords, that the depositions of witnesses made before the Admiralty Court in regard to Maryland should be read. In a few weeks Baltimore begged that the actions looking to the repeal of his charter might be delayed, and on the same day certain merchants in London, who were interested in the Virginia trade, requested that the ordinance should be sent to the Commons, for Baltimore's petition was intended only to cause delay.[1] The matter was stayed for the time, but by December, 1649, Ingle had sent to the Council of State a petition and remonstrance against the government of Lord Baltimore's colony. The hearing, which was referred to the Committee of the Admiralty, was postponed until January 10th, 1650, when Baltimore's agent requested it to be deferred until the 16th. Witnesses were summoned and upon Baltimore's appearance, he was ordered to make answer in writing to Ingle by the 30th. On January 29th the matter was again postponed until February 6th, "in respect of extraordinary occasions not permitting them to hear the same tomorrow." Delay followed delay until March 1st, when Ingle was "unprovided to prove" the

[1] Seventh Report His. Com., pp. 54, 162.

charges against Lord Baltimore for misconduct in the government of Maryland, but on the 15th of the same month, "after several debates of the business depending between Capt. Ingle and Lord Baltimore, touching a commission granted to Leonard Calvert, * * * by the late King at Oxford in 1643" the advocate for the State and the attorney general were directed to examine the validity of the original charter to Cecil, Lord Baltimore. Allusion to this matter was again made in the records, but nothing showing its result unless it be the order of the Council of State, of December 23d, 1651, that Lord Baltimore should be allowed to "pursue his cause according to law."[1]

Ingle seems to have been at this time in the service of what was once a parliament, but which had been reduced in 1648, by Pride's purge, to about sixty members. In February, 1650, he informed the Council of State that on board two ships, the "'Flower de Luce' and the 'Thomas and John,' were persons bound to Virginia, who were enemies of the Commonwealth." The vessels were stayed for over a month, when they were allowed to sail down to Gravesend, where, before they left for Virginia, the mayor and justices were to "take the superscription of passengers and mariners not to

[1] Sainsbury: Calendar State Papers, Colonial, 1574–1660, pp. 331–337, 368.

engage against the Commonwealth."[1] In April of this year the Council of State ordered the payment to Ingle of £30 sterling for services and care in keeping Captain Gardner, who had been arrested for treason, in having tried to betray Portland Castle.[2] He again comes into notice in 1653, by some letters written by him to Edward Marston. He had been cast away by shipwreck in the Downs, and was then at Dover, where he had been very ill. Having heard that two prizes which he had helped to secure, had been condemned and that the rest of the men had obtained their shares, he wrote to secure the eleven shares due him, and told Marston to send one part to his wife, and the other to him. On November 14th, he again wrote that he had received no answer although "I have written you every post these 3 weeks, having been sick my want of money is great."[3] This is the last fact, which can at present be found, about Richard Ingle, who first came into notice demanding tobacco debts, and is discovered, at last demanding prize money. These two acts were typical of the man, he was always on the lookout for gain and yet remained a staunch adherent to the Long Parliament, which did so much to strengthen English liberties, but whose

[1] Ibid.
[2] Ibid., Domestic, 1650, pp. 64, 79, 572.
[3] Ibid., 1653–1654, pp. 235, 251, 278.

acts led to such extreme measures as those which culminated in the execution of the self-willed unfortunate Charles I.

By a careful consideration of all the facts, it will be seen that the acts of Richard Ingle are in some cases legendary, and as such naturally have become more heinous with every successive account. The endeavor has been in this paper to give an unprejudiced historical account of his life, but in view of the mis-statements about him, it still remains to sum up, and examine the specific charges against him. He is accused of having stolen the silver seal of the province. Lord Baltimore's own statements, however, concerning it are doubtful. "Whereas our great seal of the said province of Maryland was treacherously and violently taken away from thence by Richard Ingle or his complices in or about February,[1] 1644/5," he wrote in August, 1648. Nothing had been said according to the records up to that time in Maryland about the loss of the seal. On the contrary, in a commission given by Governor Greene on July 4th, 1647, over a year before the proprietor's commission for the great seal, are the words, "Given under my hand and the Seal of the province,"[2] and in the proclamation of March 4th, 1648, Greene promised pardon

[1] C. P., 201.
[2] Ibid., 162.

"under my hand and the seal of the province,"[1] to all out of the province except Ingle, who should confess their faults before a certain date.

It may be urged against these facts that "under my hand and the seal of the province," was mere legal phraseology. But those which have been given are the only two instances of the use of the term from 1646 to 1648, and are both preceded and followed by commissions, &c., ending "and this shall be your commission," or "given at St. Mary's," in which, if the term was merely technical language, why was it not more frequently used? Again, it may be said that it was a temporary seal. If it were, it is strange that no mention is made of the fact in the records of the province, or in Lord Baltimore's commission for the new seal. It was hoped and desired that in this paper no occasion would arise to make accusations against any of Ingle's opponents, but historic truth now requires it to be done. It must be remembered that Baltimore was in constant danger of losing his charter, in a great measure, on account of Ingle's activity against him. Upon his authority alone is based the charge against Ingle about the seal, but of how much value is the authority of one who, at the very same time and in a commission sent out with that of the seal, wrote that Leonard Calvert "was limited by

[1] Ibid., 166.

our commission to him not to appoint" any person governor "unless such person were of our privy council there,"[1] although no such limitation as to the governor's right was made in any of the commissions to Leonard Calvert so this clause in the lord proprietor's commission resolves itself into a Machiavellian statement. It is hardly credible that Lord Baltimore could have made such a statement from ignorance, for no one knew the commission better than the author of it. But notwithstanding the evidence against Lord Baltimore, the writer has too high an opinion of his character to attribute to him the diplomatic lie. Lord Baltimore was no doubt influenced a great deal, by what was reported to him concerning Maryland, so the blame must rest upon his informers. Still if these persons would resort to such methods in one case, they would be likely to do so in other instances. Whoever was the author of the statement, it throws doubt upon other supposed facts of this period, and leads to the conclusion that the commission for a new seal was one of the reconstructive acts of the proprietor, on a par with the treatment of Hill.

Ingle has been charged with the destruction of the records of the province. What was Baltimore's opinion? "We understand" he wrote in 1651, "that in the late Rebellion there One thousand

[1] Ibid., p. 209.

Six hundred Forty and four most of the Records of that province being then lost or embezzled."[1] This hearsay statement of Lord Baltimore may have been based upon the testimony in 1649, of Thomas Hatton, Secretary of the province, of the receipt of books from Mr. Bretton, who "delivered to me this Book, and another lesser Book with a Parchment Cover, divers of the Leaves thereof being cut or torn out, and many of them being lost and much worn out and defaced together with divers other Papers and Writings bound together in a Bundle,"[2] and swore that they were all the documents belonging to the secretary or register which could be found, "except some Warrants, and some Draughts of Mr. *Hill's* Time." All the records, therefore, were not destroyed, but in 1649, there were in existence papers belonging to the Hill regime. But greater proofs against the vandalism of Ingle are the records themselves, or the copies of them, which could not have been made if the originals had been destroyed, and which have at last been deposited where thieves do not break through nor steal. There have been preserved among the records up to 1647, the original proprietory record books, liber Z., 1637–1644 and liber P. R., 1642 to February 12, 1645. The Council Proceedings, 1636–1657, the Assembly

[1] A. P., p. 329.
[2] C. P., 219.

Proceedings, 1638–1658, and liber F., 1636–1642, proprietory records, have been handed down in copies. The loss of liber F., 1636–1642, can no more be attributed to Ingle than can the loss of liber K., 1692–1694, which was made fifty years after Ingle's time. Both of these, as well as records of later years, have been preserved in copies only, but a brief study of the Calendar of State Archives, prefixed to the Acts of Assembly, will demonstrate that the destruction of records by Ingle could not have been so great as has been supposed. But did he destroy any? There are gaps in the records, that exist between February 14, 1645, when the rebellion occurred, and December, 1646, when Calvert returned, but it is not likely that under the existing circumstances very great care was taken of the records of these twenty-two months, and moreover there is no proof that Ingle was in the province after 1645, for he was probably in London in December of that year, and certainly in the following February. His appointing Cornwallis his attorney for collecting Maryland and Virginia debts would also lead one to believe that he did not return to the province. Some of the records of the Hill government, however, were in existence in 1649, but as far as is known have since disappeared. Ingle certainly did not destroy them, and indeed to a man engaged in the tobacco trade, there were few

inducements to waste his time, and that of his men cutting up records.

It is difficult to understand why Lord Baltimore should have called Ingle an "ungrateful villain," for the reception the latter met at St. Mary's in 1644, was not calculated to inspire one with gratitude. The compensation offered Ingle might have been deemed liberal, but the Maryland authorities acknowledged that they had to make this offer for the public good and safety, and, therefore, no particular credit can be given them for kindness towards the troublesome mariner. But the relations between Ingle and Cornwallis are rather perplexing. The latter accused Ingle of not returning the value of goods entrusted to him, and also of landing, during his absence, "some men near his house," and rifling "him to the value of 2,500l at least."[1] All this was done after Cornwallis had showed his devotion to Parliament, by releasing Ingle. It must be remembered in connection with the devotion to Parliament, that Ingle was doing the great carrying trade for Cornwallis. Besides, after Ingle had made him his attorney, he went to Maryland and there sued three men for the pillage and destruction of his property, without implicating Ingle. In the absence of full records concerning these two men, it is unfair to judge either of them harshly in this matter.

[1] Sixth Rep. Hist. Com., p. 101.

The indefinite allusion to Ingle's piracy in 1644 was not sustained, but in 1649 he was again called "pirate." The definition of piracy has undergone many changes within the past three hundred years. From robbery committed upon the high seas, it has come to mean, "acts of violence done upon the ocean or unappropriated lands or within the territory of a state through descent from the sea, by a body of men acting independently of any political or organized society."[1] The pirate has also been held as an enemy, whom the whole human race can oppress. These definitions are from the international standpoint. What was the English law at the time of Ingle? The treatment of pirates was regulated by the Act of Parliament, made in the reign of Henry VIII.,[2] and Sir Leoline Jenkins, on September 2d, 1668, at a session of the Admiralty, said, "now robbery as 'tis distinguished from thieving or larceny, implies not only the actual taking away of my goods, while I am, as we say, in peace, but also the putting me in fear, by taking them away by force and arms out of my hands, or in my sight and presence, when this is done upon the sea, without a lawful commission of war or reprisals, it is downright Piracy."[3] In the Assembly of March, 1638,

[1] Hall: International Law, p. 218.

[2] 28 Henry VIII., C. 15. See p. 124, Vol. VI., Evan's Collection of Statutes.

[3] Quoted by Phillimore. See International Law, Vol. I., p. 414.

piracy was defined as follows: "William dawson with divers others did assault the vessels of Capt. Thomas Cornwaleys his company feloniously and as pyrates & robbers to take the said vessels and did discharge divers peices charged with bulletts & shott against the said Thomas Cornwaleys, &c."[1] Granted, although it is doubtful, that Ingle seized the pinnace, riding in St. Inigoes' creek, he was not, therefore, a pirate. According to the testimony, he used no force, for the one in charge of the pinnace allowed him to take it; and the act was not committed on the high seas. For the acts committed on the land, Ingle acknowledged himself to have been responsible; for in his petition he wrote, that he "did venture his life and fortune in landing his men and assisting the said well-affected Protestants (*i. e.*, such as adhered to Parliament)" against the government, the papists and malignants. His acts on the land were rather contradictory, if one reads the testimony. In 1647, for instance, a certain Walter Beane[2] at the request of Cuthbert Fenwick, said that during the plundering time, with the consent of Fenwick, he paid Ingle some tobacco, which was due Fenwick or Cornwallis. Ingle then gave him the following, "Received of Walter Beane five hund^{r} Thirty Eight pounds of Tob for a debt

[1] A. P., pp. 17–18.
[2] L. O. R., Vol. II., p. 312.

th^t^ the s^d^ Walter Beane did owe to Cuthbert ffenwick. Witness my hand,

RICH^D^. INGLE."

Beane stated also that sometime before Ingle came, he paid six hogsheads of tobacco to Fenwick for Cornwallis, and that Ingle, upon his arrival, sent eleven men to fetch the hogsheads and other tobacco; that when Beane refused to give them up, Ingle was notified, and sent a note threatening extreme measures, and Beane was thus forced to give up the tobacco. Does it not seem curious that Ingle should give a receipt for one batch of tobacco, and within a short time have other tobacco forcibly seized? Of course the authorities of Maryland might have considered such acts piratical. But they were not. Ingle had a commission from Parliament, to relieve the planters in Maryland, by furnishing them arms, &c. He found the government of Maryland at enmity with Parliament, which was the actual government of England at that time, and assisted the friends of Parliament in Maryland. Even if he exceeded the provisions of his letter of marque he was responsible to Parliament alone.[1] That the English authorities did not disapprove of his conduct is shown by the weight attached to his statements, and by the fact that he was afterwards in the service of the Commonwealth.

[1] Phillimore, Vol. I., p. 425.

As to Ingle's having been a "rebel," the facts all point to his participation in the beginning of a rebellion, caused probably, by those dissatisfied with Leonard Calvert's rule, more probably by the influence of William Claiborne, who in spite of condemnatory acts by the Maryland Assembly, and the vacillating measures of Charles I., insisted for many years upon his right to Kent Island. But rebellion is viewed in different ways: by those against whom it is made, with horror and detestation; by those who make it, with pride and oft-times with devotion. If Ingle led on the rebellion, he was acting in Maryland, only as Cromwell afterwards did on a larger scale, in England, and as Bacon, the brave and noble, did in Virginia, and to be placed in the same category with many, who will be handed down to future generations as rebels, will be no discredit to the first Maryland rebel.

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